

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

HUNTINGTON DIVISION

SANDRA MICHELLE JOHNSON,

Plaintiff,

v.

CIVIL ACTION NO. 3:15-0713

ELIZABETH DIAMOND EPLIN and
WEST VIRGINIA DEPARTMENT OF
HEALTH AND HUMAN RESOURCES
BUREAU FOR CHILDREN and FAMILIES

Defendants.

MEMORANDUM OPINION AND ORDER

This action was referred to the Honorable Cheryl A. Eifert, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted findings of fact and recommended that the Court dismiss the complaint, without prejudice (ECF No. 2) and remove this matter from the docket of this Court. Neither party has filed objections to the Magistrate Judge's findings and recommendations.

Accordingly, the Court accepts and incorporates herein the findings and recommendation of the Magistrate Judge and **DISMISSES** the complaint, **without prejudice** (ECF No. 2) and **REMOVES** this matter from the docket of this Court, consistent with the findings and recommendations.

The Court **DIRECTS** the Clerk to forward copies of this written opinion and order to all counsel of record, and any unrepresented parties.

ENTER: February 4, 2016



ROBERT C. CHAMBERS, CHIEF JUDGE